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(Original Signature of Member)

118TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To eliminate the prohibition on training teachers with effective defensive tools, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

Mr. OGLES introduced the following bill; which was referred to the Committee  
on \_\_\_\_\_

\_\_\_\_\_

**A BILL**

To eliminate the prohibition on training teachers with effective defensive tools, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Teachers Empowered  
5 Against Classroom Harm Act of 2023” or the “TEACH  
6 Act of 2023”.

1 **SEC. 2. ELIMINATING BARRIERS BETWEEN WILLING**  
2 **SCHOOL STAFF AND THEIR RIGHT TO DE-**  
3 **FEND THEIR STUDENTS.**

4 (a) ELIMINATING PROHIBITION ON TRAINING  
5 TEACHERS WITH EFFECTIVE DEFENSIVE TOOLS.—Sec-  
6 tion 8526 of the Elementary and Secondary Education  
7 Act of 1965 (20 U.S.C. 7906) is amended—

8 (1) in paragraph (5), by inserting “or” after  
9 the semicolon;

10 (2) in paragraph (6), by striking “; or” at the  
11 end and inserting a period; and

12 (3) by striking paragraph (7).

13 (b) PRIORITIZING FUNDING FOR SCHOOLS THAT  
14 PROTECT STUDENTS.—

15 (1) PROHIBITION.—

16 (A) IN GENERAL.—The Secretary of Edu-  
17 cation may not disburse to or obligate any  
18 funds for any State, local government, or eligi-  
19 ble entity (as defined in section 3) that restricts  
20 the possession of firearms in excess of section  
21 922(q) of title 18, United States Code, within  
22 school zones as defined in section 921(a)(26) of  
23 such title.

24 (B) DEFINITIONS.—In this paragraph:

25 (i) LOCAL GOVERNMENT.—The term  
26 “local government” means any county,

1 parish, city, town, township, village or  
2 other general purpose political subdivision  
3 of a State with the power to levy taxes and  
4 expend Federal, State, and local funds and  
5 exercise governmental powers.

6 (ii) STATE.—The term “State” means  
7 each of the 50 States and the District of  
8 Columbia.

9 (2) CONFORMING AMENDMENT.—Section  
10 922(q) of title 18, United States Code, is amended  
11 by striking paragraph (4).

12 (c) RESPECTING THE RIGHT TO CONSTITUTIONALLY  
13 CARRY A FIREARM AS PROTECTED BY A MAJORITY OF  
14 THESE UNITED STATES.—Section 922(q)(2)(B) of title  
15 18, United States Code, is amended—

16 (1) by redesignating clauses (iii) through (vii)  
17 as clauses (iv) through (viii), respectively; and

18 (2) by inserting after clause (ii) the following:

19 “(iii) if the individual possessing the firearm is  
20 otherwise eligible or entitled to carry a firearm  
21 under the laws of the State in which the school zone  
22 is located;”.

1 **SEC. 3. HELPING WILLING STAFF AND SCHOOLS DEFEND**  
2 **STUDENTS FROM ARMED INTRUDERS.**

3 (a) GRANTS FOR SCHOOL SAFETY.— Notwith-  
4 standing section 4103(a)(3) of the Elementary and Sec-  
5 ondary Education Act of 1965 (20 U.S.C. 7113(a)(3)) or  
6 any other provision of law, using the total amount of the  
7 funds reserved under such section 4103(a)(3) for a fiscal  
8 year, the Secretary of Education shall award grants, on  
9 a competitive basis, to eligible entities to enable such eligi-  
10 ble entities to participate in defensive training programs  
11 designed to protect elementary schools and secondary  
12 schools from armed intruders, including covering the cost  
13 of—

- 14 (1) instructor and program fees;  
15 (2) training supplies; and  
16 (3) educational materials.

17 (b) APPLICATIONS.—

18 (1) ANNOUNCEMENT.—Not later than October  
19 1, 2023, or 120 days after the date of enactment of  
20 this Act, whichever occurs later, the Secretary of  
21 Education shall announce an application process for  
22 grant funding under this section.

23 (2) PRIORITY.—In approving grant applications  
24 under this section, the Secretary shall give priority  
25 to eligible entities with a commitment to protecting  
26 the right to keep and bear arms for self-defense as

1       protected by the Second Amendment to the Con-  
2       stitution and affirmed by the Supreme Court's rul-  
3       ings in *District of Columbia v. Heller* and *NYSRPA*  
4       *v. Bruen*.

5           (3) REQUIREMENT.—

6           (A) IN GENERAL.—For each fiscal year for  
7       which the Secretary reserves funds under sec-  
8       tion 4103(a)(3) of the Elementary and Sec-  
9       ondary Education Act of 1965 (20 U.S.C.  
10      7113(a)(3)), the Secretary shall fully obligate  
11     such funds by awarding grants to eligible enti-  
12     ties under this section in such fiscal year, ex-  
13     cept that the funds reserved under such section  
14     4103(a)(3) for the first fiscal year that begins  
15     after the date of enactment of this Act may be  
16     so fully obligated by not later than the end of  
17     fiscal year that follows such first fiscal year.

18          (B) HIRING FREEZE.—

19           (i) IN GENERAL.—Subject to clause  
20       (ii), if the Secretary fails to comply with  
21       the requirements of subparagraph (A) for  
22       a fiscal year, beginning on October 1 of  
23       the succeeding fiscal year—

1 (I) no individual may be ap-  
2 pointed to any position within the De-  
3 partment of Education;

4 (II) no new position may be es-  
5 tablished at the Department;

6 (III) no officer or employee of  
7 the Department may be assigned any  
8 duties not assigned to that employee  
9 in the preceding fiscal year; and

10 (IV) no officer or employee of the  
11 Department may be transferred to a  
12 duty station other than the duty sta-  
13 tion applicable to such officer or em-  
14 ployee in the preceding fiscal year.

15 (ii) EXCEPTION FOR FIRST YEAR.—In  
16 a case in which the Secretary fails to com-  
17 ply with the requirements of subparagraph  
18 (A) in the first fiscal year that begins after  
19 the date of enactment of this Act, the hir-  
20 ing freeze described in subclauses (I)  
21 through (IV) of clause (i) shall take effect  
22 beginning on October 1 of the second suc-  
23 ceeding fiscal year.

24 (c) TERMINATION OF HIRING FREEZE.—Any hiring  
25 freeze described in subclauses (I) through (IV) of sub-

1 section (b)(3)(B)(i) for a fiscal year shall be terminated  
2 on the date on which the Secretary of Education notifies  
3 the Committee on Education and the Workforce of the  
4 House of Representatives and the Committee on Health,  
5 Education, Labor, and Pensions of the Senate that any  
6 unobligated funds that have been reserved under section  
7 4103(a)(3) of the Elementary and Secondary Education  
8 Act of 1965 (20 U.S.C. 7113(a)(3)) for the preceding fis-  
9 cal year have been awarded under this section to eligible  
10 entities.

11 (d) REPORTING REQUIREMENTS.—

12 (1) REPORT.—On the day when the Secretary  
13 establishes an announcement of a grant application  
14 process under subsection (b)(1), the Secretary of  
15 Education shall submit to the Committee on Edu-  
16 cation and the Workforce of the House of Rep-  
17 resentatives and the Committee on Health, Edu-  
18 cation, Labor, and Pensions of the Senate an accom-  
19 panying report on the efforts of the Department of  
20 Education to—

21 (A) create a streamlined grant application  
22 process under this section; and

23 (B) request the minimum amount of infor-  
24 mation from grant applicants.

1           (2) ANNUAL REPORT.—The Secretary shall  
2       submit to the Committee on Education and the  
3       Workforce of the House of Representatives and the  
4       Committee on Health, Education, Labor, and Pen-  
5       sions of the Senate a report, on an annual basis, on  
6       the following:

7           (A) The average amount of time between  
8       when a grant applicant submits an application  
9       under this section and the disbursement of  
10      funds to a grant applicant, and efforts to re-  
11      duce that average time.

12          (B) Any Department practices, procedures,  
13      and rulemakings that could delay or limit acces-  
14      sibility to grant disbursements.

15      (e) DEFINITIONS.—In this section:

16          (1) DEFENSIVE TRAINING PROGRAM.—The  
17      term “defensive training program” shall include any  
18      training or program that—

19          (A) instructs an individual on the best  
20      practices for carrying a firearm on school prop-  
21      erty for defensive purposes as approved by—

22              (i) a State or local government; or

23              (ii) school administrators, a school  
24      board, or other governing body of a school;



1 (B) instructs an individual on the best  
2 practices for using or carrying, or storing (if  
3 applicable) a firearm on school property for de-  
4 fensive purposes, including—

5 (i) the protection of students from a  
6 violent criminal;

7 (ii) the interaction of armed citizens  
8 with first responders;

9 (iii) denying an intruder entry into a  
10 classroom or school facility; or

11 (iv) increasing an individual's accu-  
12 racy with a firearm while under duress;  
13 and

14 (C) instructs individuals on the use of  
15 emergency medical response equipment and  
16 traumatic injury kits.

17 (2) ELIGIBLE ENTITY.—The term “eligible enti-  
18 ty” means any of the following:

19 (A) A local educational agency, or a con-  
20 sortium of local educational agencies.

21 (B) The Bureau of Indian Education.

22 (C) A private elementary school or sec-  
23 ondary school.

24 (D) An entity described in subparagraph  
25 (A), (B), or (C), in partnership with—

1 (i) a nonprofit organization that has  
2 demonstrated experience in defensive train-  
3 ing programs;

4 (ii) a business; or

5 (iii) an educational service agency.

6 (E) A nonprofit organization that has  
7 demonstrated experience in defensive training  
8 programs.

9 (3) ESEA TERMS.—The terms “educational  
10 service agency”, “elementary school”, “local edu-  
11 cational agency”, “secondary school”, and “Sec-  
12 retary” have the meanings given the terms in section  
13 8101 of the Elementary and Secondary Education  
14 Act of 1965 (20 U.S.C. 7801).